

REMARKS

Claims 8-13 and 28-34 are pending. By this Amendment, claims 1-7 and 14-27 are canceled without prejudice or disclaimer of the subject matter contained therein, claims 8 and 13 are amended and claims 28-34 are added.

Applicant appreciates the courtesies extended to Applicant's representative during the September 21 personal interview. Substance of the discussions held are incorporated into the following remarks and constitute Applicant's record of interview.

I. The Claims Define Patentable Subject Matter

The Office Action rejects claims 8-13 under 35 U.S.C. §103(a) over U.S. Patent No. 6,089,765 to Mori, in view of U.S. Patent No. 6,687,684 to Whitehouse et al. This rejection is respectfully traversed.

Applicant notes that the rejection of claims 8-13 under 35 U.S.C. §103(a) over Mori in view of Whitehouse is improper. Specifically, Mori qualifies as prior art under 35 U.S.C. §102(e). Both Mori and the instant application are assigned to Brother Kogyo Kabushiki Kaisha. Therefore, Mori is a 35 U.S.C. §103(c) reference and does not preclude patentability.

Applicant also notes however, that JP11105381A2 corresponding to Mori was published on April 20, 1999. Thus, in the event that JP381 is available as prior art and/or contains the subject matter of Mori, Applicant addresses the subject matter of Mori in this response.

In the invention of independent claim 8, there is a printing system that includes a reprint number setter that sets, for each print data set, a predetermined reprint number representing an upper limit of how many times reprinting operations are to be performed on each print data set, and a print data eraser that erases, from the holder, each print data set that the reprint controller has used for reprint processes when the incremented reprint number has reached the predetermined reprint number. Likewise, in the invention of independent

claim 13 there is a program to set for each print data set a predetermined reprint number representing an upper limit of how many times reprinting operations are performed on each print data set, and a program to erase each held print data set when the incremented reprint number equals a predetermined reprint number. See e.g., the specification at page 35 et seq.

Applicant respectfully disagrees with the Office Action's assertion that Mori and Whitehouse may be combined to provide the features of independent claims 8 and 13. Specifically, Mori discloses that print data is erased to free up storage area in the print storage device 44. This may be accomplished in several ways. The print data that has just been printed may be immediately deleted from the storage area, or automatically deleted only after a specified delete time has elapsed. See, e.g., col. 7, lines 52-62. Also, older data may be deleted when new data is stored. See, e.g., col. 6, lines 58-65.

In Whitehouse, server memory 308 includes reprint authorization application 348, which works to authorize or deny reprint requests. See, e.g., col. 3, lines 43-60. In Whitehouse, a threshold may be applied to a reprint request that includes a limit on the number of reprint requests that will be authorized for a particular count during a predefined time period, a number of reprint requests, etc. See, e.g., col. 5, lines 30-48. However, in Whitehouse, there is no problem with data storage and thus, the data representing the information to be reprinted is not deleted. Thus, Applicant asserts the references cannot be combined.

Furthermore, the Office Action indicates that it would have been obvious to one of ordinary skill in the data processing art at the time of the invention to combine Mori and Whitehouse to set a reprint number representing an upper limit because it would ensure efficient fraud protection. However, Mori does not provide any suggestion or motivation to include the teachings of Whitehouse because Mori has no need for fraud protection. Instead, in Mori there is a concern that data be deleted so that storage space is not taken up.

With respect to new claims 28 and 29, the above arguments substantially apply. With respect to new claim 30, neither of the above references disclose a printer including the features of claim 30, as discussed in the personal interview.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Kevin M. McKinley
Registration No. 43,794

JAO:KMM/ale

Attachments:

Petition for Extension of Time
Amendment Under 37 C.F.R. 1.48(b)

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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